



**US Army Corps
of Engineers®**

Nashville District

Public Notice

Public Notice No. **03-101**

Date: **January 7, 2004**

Application No. **200301978**

37214.

Please address all comments to: Nashville District Corps of Engineers,
Regulatory Branch (Attn: Richard Graham), 3701 Bell Road, Nashville, TN

Telephone (615) 369-7507, Fax (615) 369-7501.

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS
TENNESSEE VALLEY AUTHORITY

SUBJECT: Proposed Maintenance Dredging for Dock

TO ALL CONCERNED: The project described below has been submitted for a Department of the Army (DA) Permit pursuant to **Section 10 of the Rivers and Harbors Act (RHA) of 1899** and a Tennessee Valley Authority (TVA) permit pursuant to Section 26a of the TVA Act.

APPLICANT: Ricky King
723 Old Hickory Boulevard
Jackson, Tennessee 38305

LOCATION: Mile 1.2R, Lick Creek, Opposite Tennessee River Mile 127.7L, Kentucky Lake, Decatur County, TN (USGS Quad: Jeannette, TN; Latitude 35 deg 43 min 41 sec; Longitude 88 deg 3 min 14 sec).

DESCRIPTION: The proposed work would consist of dredging an 80' x 80' area at the subject location to remove sediment under and within the navigable area of the applicant's existing dock. Dredging would be performed with a trackhoe from a barge and from the bank with a trackhoe. The dock would be moved to allow dredging within the footprint of the dock and then moved back into place. No dredging would be performed within ten feet of the shoreline. Approximately 450 cubic yards of material would be removed and placed on the barge, or directly into trucks when dredging from the bank. The barge would be taken to a nearby ramp and offloaded into trucks for disposal at an upland location a mile from the site which is above the 375' contour. Plans of the proposed work are attached.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources.

The benefit, which reasonably may be expected to accrue from the work, must be balanced against its reasonably foreseeable detriments. All factors, which may be **CELRN-OP-F 03-101**

relevant to the work, will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines it to be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historical properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. An EA will be prepared by this office prior to a final decision concerning issuance or denial of the requested DA Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any federally listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and, therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

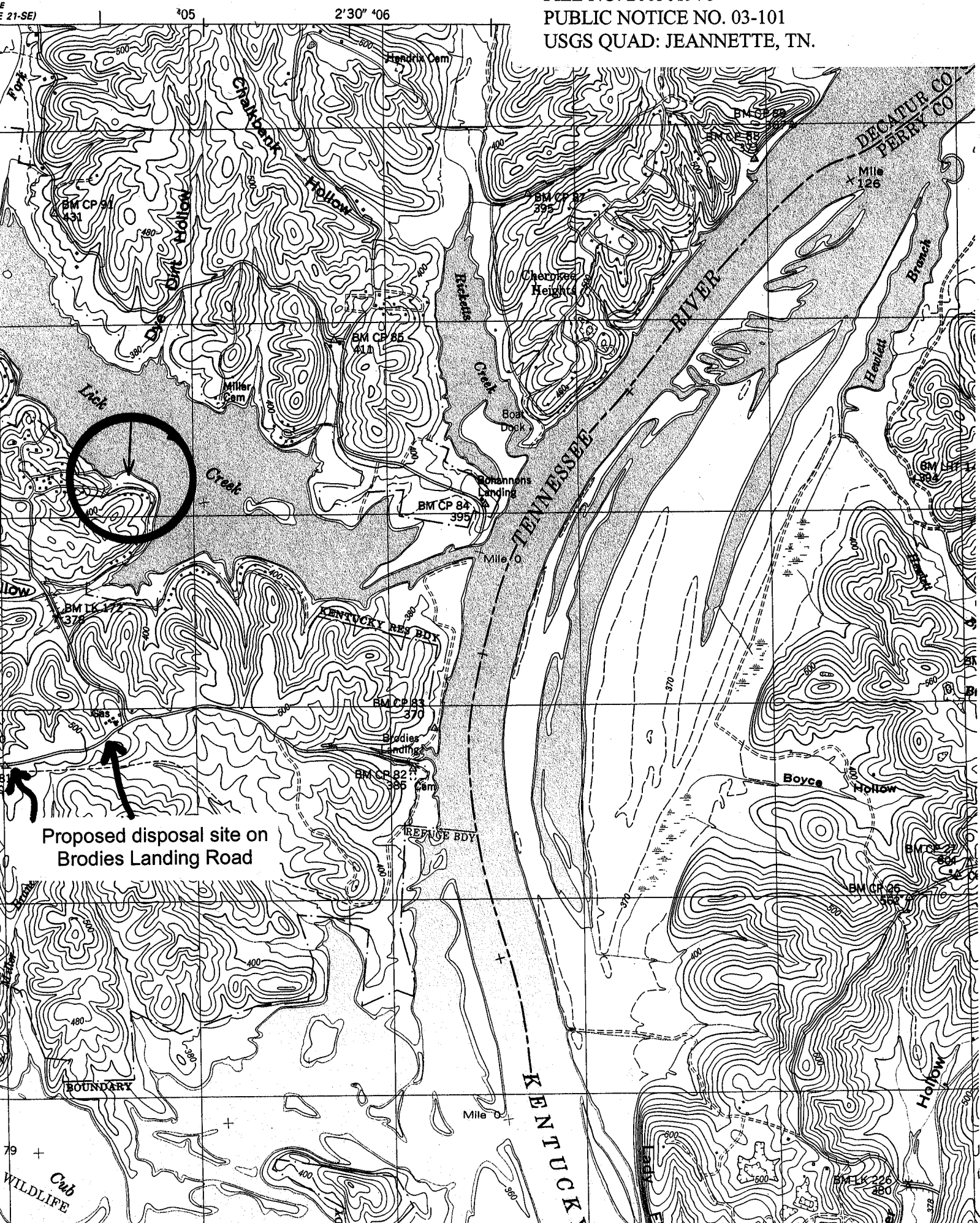
Other federal, state, and/or local approvals required for the proposed work are as follows:

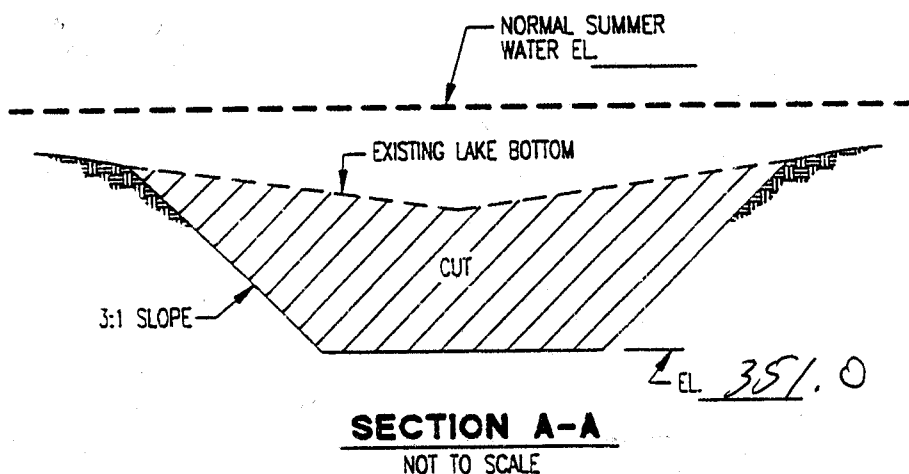
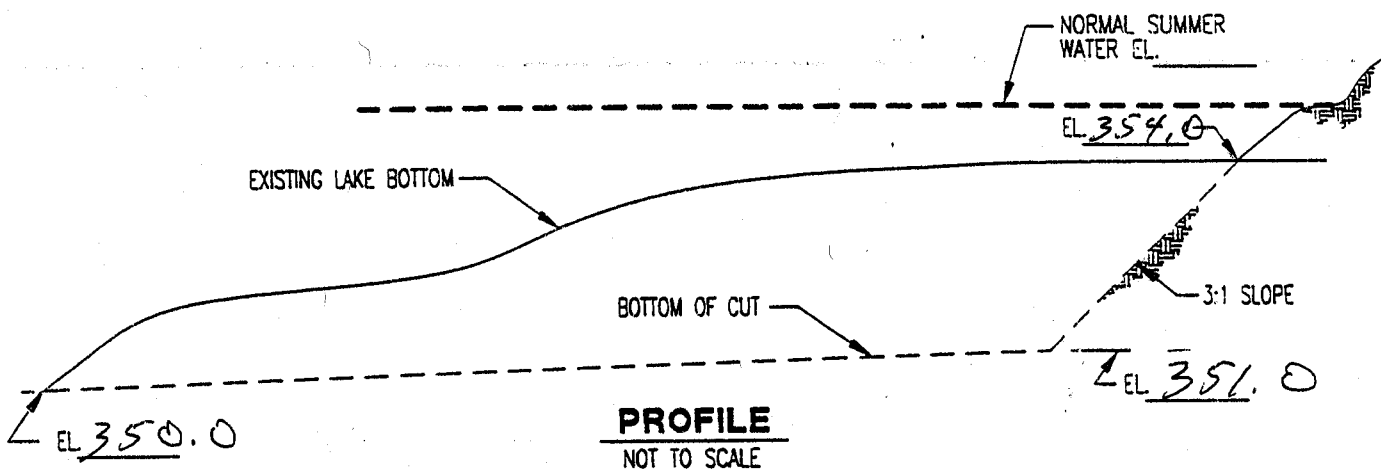
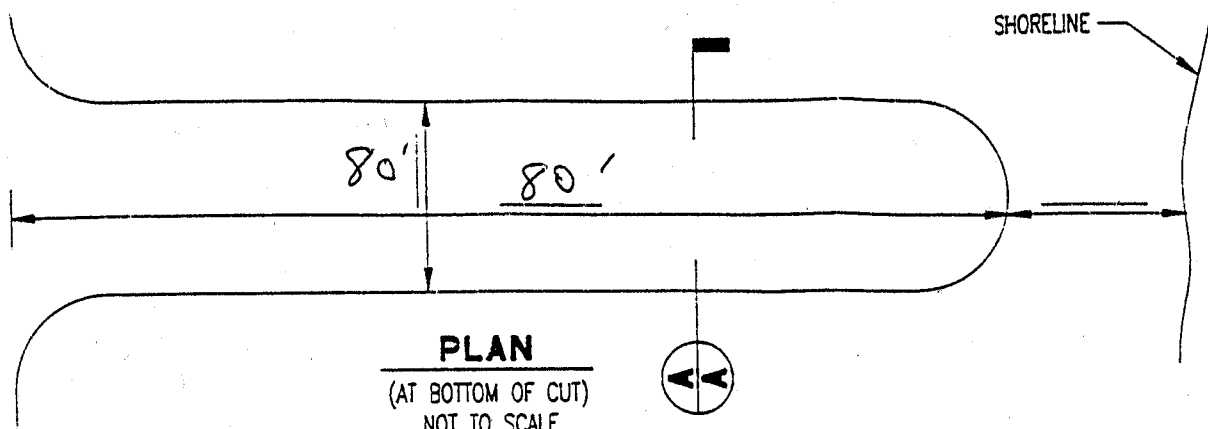
Tennessee Valley Authority (TVA) approval under Section 26a of the TVA Act. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for hearings shall state, with particularity, the reasons for holding a hearing.

Written statements received in this office on or before **January 27, 2004**, will become a part of the record and will be considered in the determination. Any response to this
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notice should be directed to the Regulatory Branch, Attn: Richard Graham, address above, telephone (615) 369-7507, Fax (615) 369-7501. The e-mail address is richard.graham@usace.army.mil. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to Mr. Randy Lowe, Project Leader, P.O. Box 280, Paris, Tennessee 38242, telephone (731) 641-2022.





RICKY KING
FILE NO. 200301978
PUBLIC NOTICE NO. 03-101
USGS QUAD: JEANNETTE, TN.

ESTIMATED CU. YDS. OF SPOIL TO BE REMOVED: ~450.

NOTE:

INCLUDE ALL DIMENSIONS AND ELEVATIONS
WHERE INDICATED.

TVA	K. Y. WATERSHED TEAM	
	EXAMPLE OF PROPOSED CHANNEL DREDGE	
PROJECT LOCATION INFORMATION:		
STREAM NAME	<u>Lick Creek</u>	RESERVOIR NAME <u>KY Reservoir</u>
MILE MARKER	<u>127.9k</u>	MAP NO. <u>197D</u>
(APPLICANT'S NAME) <u>Ricky King</u>		